

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THUY NGUYEN,

Petitioner,

Case No. C17-0926-JCC-MAT

V.

REPORT AND RECOMMENDATION

JEFFERSON SESSIONS, et al.,

Respondents.

Petitioner Thuy Nguyen, who is currently detained by U.S. Immigration and Customs
enforcement at the Northwest Detention Center in Tacoma, Washington, has filed an application
for a writ of habeas corpus under 28 U.S.C. § 2241, *in forma pauperis* (“IFP”), a proposed petition for writ of habeas corpus under 28 U.S.C. § 2241, a motion to appoint the Office of the Federal Public Defender (“FPD”) as his counsel, and a motion for support from the FPD. *See* Dkts. 1, 1-1, 1-2, and 1-3. Petitioner’s IFP application states that he had over \$200.00 in his prison trust account on February 20, 2017, and that he had over \$350.00 in his account on May 1, 2017. Dkt. 1 at 3-4.

While the Court recognizes that petitioner's funds may not be great, it is not unreasonable to expect petitioner to pay the minimal filing fee required to proceed with this action (\$5.00) given the fact that his basic needs are provided for while he is detained. Accordingly, the Court

recommends that petitioner's application to proceed IFP, Dkt. 1, be DENIED, and that he be directed to pay the \$5.00 filing fee to proceed with this action. A proposed Order accompanies this Report and Recommendation.

Objections to this Report and Recommendation, if any, should be filed with the Clerk and served upon all parties to this suit within **fourteen (14) days** of the date on which this Report and Recommendation is signed. Failure to file objections within the specified time may affect your right to appeal. Objections should be noted for consideration on the District Judge's motions calendar for the third Friday after they are filed. Responses to objections may be filed within **fourteen (14) days** after service of objections. If no timely objections are filed, the matter will be ready for consideration by the District Judge on **July 7, 2017**.

Dated this 22nd day of June, 2017.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge